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Memorandum of Conversation

DATE: June 14, 1957

SUBJECT: Meeting in Secretary Dulles' Office, June 13, 1957

PARTICIPANTS: Secretary Dulles
 Attorney General Brownell
 Ambassador MacArthur

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Mr. Brownell discussed the question of taking legal action against the states of Alabama and South Carolina to repeal the discriminatory laws regarding Japanese textiles. The Secretary said that he had examined the pertinent clause in the FCN Treaty and felt that the state laws did violate the undertaking in the treaty. Mr. Brownell said that if the Secretary felt it was essential to take legal action, he would be willing to do so but he could not guarantee whether the Supreme Court would act favorably. Also, he hoped very much that we could postpone taking any legal action until further efforts had been made to obtain "voluntary" repeal of the state laws.

It was agreed that we would explain to Mr. Kishi the difficulties involved and the strong desirability of trying to obtain repeal of the laws by voluntary action. Since the South Carolina legislature would not reconvene until January, 1958, we could not obtain voluntary repeal this year, but we could inform Mr. Kishi that if our efforts to obtain voluntary repeal during the first part of next year did not seem to hold the promise of success, the United States Government would institute legal action; but we could not guarantee that the decision of the Supreme Court would be favorable.

FE:MacArthur:bcm

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